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APPLICANT : BOESEN, M.D., PETER V.
SERIAL NO : 10/022,022
FILED : December 13, 2001
TITLE : VOICE COMMUNICATION DEVICE WITH FOREIGN LANGUAGE
TRANSLATION

Grp./A.U. : 2644
Examiner
Conf. No. : 2798
Docket No. : P05419US0

REQUEST FOR RECONSIDERATION OF PETITION TO MAKE SPECIAL FOR
INVENTION FOR COUNTERING TERRORISM (MPEP 708.02)

Assistant Director for Patents
Washington, D.C. 20231

Dear Assistant Director:

Applicant hereby requests reconsideration of his Petition To Make Special as this application is
for an invention for countering terrorism.

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1. Fee

The fee required to be paid under 37 C.F.R. § 1.17(i) for accompanying a Petition To Make Special was paid with the petition on December 31, 2001. Please charge any deficiency or overpayment to Deposit Account 26-0084.

2. Decision of Petition To Make Special

The Decision of Jun 19, 2002 denied the Petition To Make Special. The sole explanation was: "The types of technology countering terrorism could include system for detecting/identifying explosives, aircraft sensors/security systems, and vehicular barricades/disabling systems. The mere fact that a device could be used in the field of terrorism does not in itself qualify for special status. The translating device of the present invention is not considered the same type as those listed above."

The fact that the Examiner may not consider the present invention "the same type as those listed above" is absolutely irrelevant. MPEP § 708.02(XI) specifically states that "the types of technology for countering terrorism could include, but are not limited to, systems for detecting/identifying explosives, aircraft sensors, security systems, and vehicular barricades/disabling systems." (*emphasis added*). Therefore, the only articulated rationale for the Examiner's Decision is contrary to the MPEP and therefore inappropriate.

The Examiner indicates that "the mere fact that a device could be used in the field of terrorism does not in itself qualify for special status." The Examiner also simply characterizes the invention as a "translating device." This raises several concerns. First, there is certainly no requirements that a device can be used only for countering terrorism in order to satisfy a Petition To Make Special. Thus, the Applicant's invention should not be excluded from special status for the simple reason that it has applications outside of and in addition to countering terrorism.

It is respectfully requested that the Examiner, instead, review the application in order to realize the invention is not merely a translating device, but rather a translating device with particular features that make it particularly desirable for use for countering terrorism.

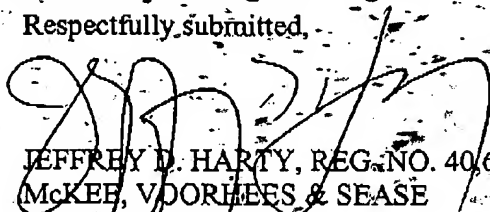
In particular, the present invention provides for a non-occlusive earpiece. This allows the operator to continue to hear the operators surroundings even when the operator is also using the earpiece to receive voice communications (Specification, page 10, first full paragraph). In addition, the present invention provides for a bone conduction sensor which when used, allows the operator to speak covertly so those around the operator cannot hear the operator speaking (page 10, first paragraph). Thus, the present invention is not merely a language translator, but a language translator with specific features that are particularly important in countering terrorism.

Furthermore, the problem of language translation is not merely related to countering terrorism it is a very significant problem encountered in efforts to counter terrorism. See, for example, Exhibit A "War on Terrorism: House Committee says 'Language is Single Greatest Limitation' in Intelligence." Further, Exhibits B indicate the important the military has placed on translation in anti-terrorism situations. Therefore, the problem solved by the present invention is not merely related to countering terrorism, but it is intimately related to a fundamental problem in countering terrorism.

In fact, the very definition of international terrorism as defined in 18 U.S.C. § 2331 includes acts that appear to be intended "to intimidate or coerce a civilian population." Therefore, it should be apparent that countering terrorism in such an instance would likely involve interaction with that civilian population. The present invention provides advantages that would lead to improved safety and convenience for its users that make the present invention particularly apt for use in countering terrorism.

Therefore, it is respectfully requested that this petition be properly reconsidered and granted.

Respectfully submitted,

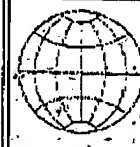

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October 10, 2001

War on Terrorism: House Committee says "Language is Single Greatest Limitation" in Intelligence

In the wake of the tragic events of September 11, the National Foreign Language Center (NFLC) stands ready to assist the media with its understanding of the role US language capability plays in national security.

In support of the September 26 report of the House Permanent Select Committee on Intelligence, stating that language is the single-greatest need in the intelligence community, NFLC's Director, Dr. Richard Brecht, has made it a priority for his senior staff to answer question ranging from how intelligence personnel are trained in esoteric languages rarely taught at US schools and colleges to the role government plays in establishing public policy to promote the study of foreign languages in the schools.

Experts at the NFLC published a report in August 2000 calling for increased investment in the language capacity of the US, in order to avert potentially disastrous consequences to our national security. Now, says Brecht, "the events of September 11, and our actions in Afghanistan against terrorism, make clear that we can no longer ignore our linguistic unpreparedness."

Dr. Brecht sees the events of the last several weeks as an opportunity to raise public and congressional awareness of the role language training plays in the nation's security. "the situation with regard to critical languages hasn't changed for decades. We must act now - we can no longer afford business as usual," stated Brecht.

Harvard-educated Brecht is the co-author of *Language and National Security in the 21st Century*, a scholarly report written with NFLC Associate William Rivers. Available through Kendall-Hunt Publishers, the report details the connection between language and national security, with emphasis on the 80 agencies of the federal government with language requirements.

In addition to Dr. Brecht, other key NFLC staff members are available to provide commentary and analysis to members of the media:

- NFLC Senior Associate Gerald Lampe is a leading scholar of the

EXHIBIT

A

http://www.nflc.org/news/press_releases/language/limitation.htm

Arabic language, and an expert on the learning of Arabic in the US and abroad. A translator, interpreter, and consultant for the US Department of State, public and private organizations, and the White House, Lampe has been actively involved in the development of pre-college programs in Arabic and other less commonly taught languages for more than two decades.

NFLC Associate William Rivers is an expert on the role of language in the US government and on the statistics concerning language study in the US. Trained as a specialist in Russian linguistics and language policy at the University of Maryland, Mr. Rivers recently spent six months in Kazakhstan conducting research on language policy and ethnic identity in Central Asia.

Founded in 1986, The NFLC is the nation's only think-tank dedicated to improving national capacity in foreign languages. The NFLC, located in Washington DC, is a unit of the University of Maryland, and is supported by state, federal, and foundation contracts and grants.

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'Q' Comes to Anti-Terror War

NewsMax Wires

Friday, March 22, 2002

KANDAHAR, Afghanistan -- In James Bond action movies, Agent 007 always visits the laconic "Q" and his lab of white-coated scientists for the latest whiz-bang gizmos.

In the war against terrorism, "Q" comes in the person of Lt. Col. Bill Bass, a loquacious drum-beater and distributor of the latest inventions from DARPA, the government agency that produced the first Internet and gave the military unmanned aerial vehicles through its contractors.

In Kandahar after a stop at Bagram, the main U.S. military camp outside Kabul, Bass is distributing two goodies to the troops -- a fourth-generation, task-specific voice input and audio output language translator and a mini-flashlight-sized water purification unit that is 99.9 percent effective in completely debugging fluids for drinking.

"This MIOX-(micro oxidation) pen does everything but desalinate -- that comes next," Bass told United Press International. "You can fill a canteen with even your urine and it will come out tasting like pure water."

DARPA's -- Defense Advanced Research Projects Agency -- Rapid Multilingual Support unit, called the phraselator, is produced by Marine Acoustics Inc. and is unlike any language translator on the commercial market today. First, it is task specific -- in Operation Enduring Freedom's case, the phrasing categories are force protection/law enforcement, refugee processing and reunification and medical triage.

Its language programs -- speech synthesis programs

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B



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developed through the Massachusetts Institute of Technology -- come in Afghanistan's various dialects: Pashto, Dari, Arabic and Urdu. Tajik and Uzbek are in the works. There are nine other language programs available, including Mandarin. Each language has about 1,000 phrases the speaker normally would use in specific tasks.

Baseline phrases, for example, include greetings, date and time questions and answers and numbers. Force protection and law enforcement phrases include "be quiet," "drop the gun" and "hands up."

A new program is coming on line geared to military police guarding detainees in Afghanistan and it will include instructions in case of emergency.

Produces Human Voice

The neatest thing, though, is it is audio. Although the operator can tap stored, written phrases in English with a wand for instant translation and voicing, he or she also can speak them into the unit, which then produces a human voice, which projects the phrase in the language needed through the unit's loudspeaker, which also can be hooked up to larger external speakers for better projection.

No HAL-speak, as in the movie "2001," for this unit -- since the voice is human, it is fluid, full of inflection, rhythm and accent.

"It makes sense; I can understand it," said Abdul, an Afghan videographer with an international TV service, when asked to listen to it. "It's understandable, but it has a northern Pashto accent."

Bass said he also tried it out on an Afghan work unit on the base, telling them to "drop their weapons."

"They understood," he said. "They got all excited and started saying they didn't have any weapons."

The phraselator weighs just 20 ounces with batteries. It's a bit larger than two Palm Pilots or a hand-held video game. It's also fully Windows Pocket PC compliant and can be used to log onto the manufacturer's Web site for adding additional phrases and words the operator may need.

The phraselator earlier in the week was given to guards at the U.S. Embassy in Kabul, and to special U.S. military units in the area.

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Going to MPs

In Kandahar, Bass is distributing the units to military police and other special groups.

Bass said the Federal Aviation Administration is also interested in the phraselator, and since they are produced by contractors, they eventually will make their way to the commercial market. Berlitz also has expressed interest in the gizmo.

Cost? To recoup research and development expenses, on a 5,000-unit production run, the units would be sold for about \$1,800 each. With a 10,000-unit run, \$1,000 per.

In six months, a "one-plus-one" unit will be available. With that, the phraselator will pick up responses, based on key words, and relay them back to the operator. In a year's time, a full two-way unit will be available, featuring the ability to interpret the semantic meaning of words and phrases voiced by the responder.

For Army Scouts, Bass is handing out the MIOX pen units, which have been certified by the U.S. Centers for Disease Control and Prevention in Atlanta. To avoid getting sick from contaminated water, the user simply pours a sample of the fluid into the unit, which within 30 to 120 seconds analyzes its content and then produces the proper chemicals to neutralize bacteria and other dangerous content.

The agent then is poured into the canteen with the fluid, and within 15 minutes it's potable. Each pen, with a single analyzation unit and chemical mix, is good for about 300 canteens of water.

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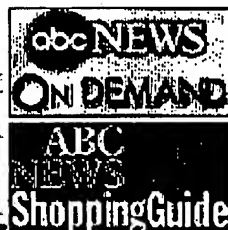
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Original Report



An unidentified soldier in Afghanistan checks out the Phraselator, an electronic translator that turn his spoken English commands into a language that can be understood by his prisoners. (Sarich/Marine Acoustics)

A Few Good Machine Translators

Researchers Developing Devices to Help U.S. Troops Speak Afghan Languages

By Paul Eng
abc NEWS.com

June 13 — For tourists and travelers visiting a foreign land, not knowing the local lingo is usually a forgivable sin. But unfortunately, soldiers in hostile countries don't have the luxury of being ignorant of area dialects.

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Cutting Edge

To protect themselves and innocent noncombatants, soldiers must be able to communicate clearly commands such as "Halt or I'll shoot," or even non-threatening information such as "We are here to help you."

And for American troops in Afghanistan, conveying such concepts in languages such as Urdu, Pashto and Dari can be tricky without the help of a human translator.

But high-tech help may be at hand — literally.

A Talking Pocket Translator

Marine Acoustics Inc., a private company in Middletown, R.I., is one of several companies working on electronic language translators that can help soldiers — and eventually tourists and travelers — get their point across like a native.

The company's Phraselator is a handheld computer that was developed with funding from Babylon, a project of the U.S. military's Defense Advanced Research Projects Agency.

The Phraselator uses a speech-recognition engine — software designed to recognize spoken English — to help it function like a human translator. And how it works is fairly simple.

Interpretive Speech

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A soldier merely speaks a simple phrase into the computer's microphone and the speech engine automatically translates the audio into digital codes. The computer's processor analyzes the codes and compares them to a table of codes that represent foreign words stored in the computer's memory.

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The company says it takes about a second or two for the Phraselator to find the matching foreign words and come up with the appropriate phrase.

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The translated phrase is displayed on the computer's screen and also played back through the computer's speaker using pre-recorded samples of the foreign words.

Ace Sarich, the primary developer of Phraselator, says the device was still under prototype earlier this year. But he says that after the tragic events of Sept. 11, DARPA asked the company to speed up development in order to support the troops involved with Operation Enduring Freedom.

Building It Up

As Marine Acoustics continues to refine it, the Phraselator will become a much more useful tool, Sarich says. He hopes the device will develop further as it's given a trial by fire in the war against terrorism.

For example, the devices sent for field trials contain roughly 2,000 to 4,000 phrases in up to four languages, including Arabic, Urdu, Pashto and Dari. Most of those phrases are keyed to specific circumstances, such as "force-protection" and security, which limited the initial use of the tool for checkpoints and guarding prisoners.

But Sarich says he has been busy working on building out the Phraselator system.

"We have a kit that allows [soldiers] to build their own modules," he says.

And as he carries out trials in Afghanistan, Sarich says he's had several opportunities to help soldiers do just that. In one instance, he says he helped a nurse at an American base develop a module to help communicate medical information. "We brought one over and had a Pashto linguist do the voice-overs for about 400-plus medical phrases."

On the Road to a Two-Way Translator

But perhaps the biggest limitation of the Phraselator is that it is a one-way device: The unit can only understand and translate spoken English. It can't be used to translate someone's foreign-language response back into English — yet.

Sarich and other researchers under the DARPA Babylon project are still working toward that goal: Creating a handheld device that can listen to and translate two very different languages seamlessly, just like a human linguist.

"The fact of the matter is, that's a real hard problem," says Sarich.

The key issue, he says, is that both languages would need their own speech recognition engine and look-up tables. That way, the computer wouldn't get confused about what language it was "hearing."

And in order to process all that information — especially across a wide range of vocabulary — the computer would have to be pretty hefty. "We have to have a lot of processing power," says Sarich.

Still, others note that it's not an impossible task.

For example, Ectaco, a company in Long Island City, N.Y., that makes handheld

<http://abcnews.go.com/sections/scitech/CuttingEdge/cuttingedge020613.html>

electronic dictionaries for travelers, recently introduced a device that can translate between English and Russian. But it required the work of many people, mostly linguists, to provide the digital data.

"We have over 100 people in St. Petersburg, Russia, working on this product," says Anatoly Kisselev, president of Voice Methods, the unit of Ectaco that is responsible for developing the electronic English-Russian translator. "It is significantly more difficult to do [than a one-way translator]," he says.

And while Kisselev says Ectaco isn't yet part of the DARPA Babylon project, he hopes the company can get involved with it soon. "It's very important for all of us to continue and improve on the devices," says Kisselev.

According to published Babylon project reports, DARPA hopes teams involved in Babylon will have working prototypes of two-way electronic translators within 18 months. ■

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RE: AMENDMENT FOR:

APPLICANT : BOESEN, M.D., PETER-V.
SERIAL NO : 10/022,022
FILED : December 13, 2001
TITLE : VOICE COMMUNICATION DEVICE WITH FOREIGN
LANGUAGE TRANSLATION

Grp./A.U. : 2644
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